

(c) *Recordkeeping.* The oversight agency shall maintain records of all warnings, civil fines, suspensions, revocations, and violations and shall compile statistics on violations and penalties on an annual basis.

(d) *SIP requirements.* (1) The SIP shall include the penalty schedule and the legal authority for establishing and imposing penalties, civil fines, license suspension, and revocations.

(2) In the case of state constitutional impediments to immediate suspension authority, the state Attorney General shall furnish an official opinion for the SIP explaining the constitutional impediment as well as relevant case law.

(3) The SIP shall describe the administrative and judicial procedures and responsibilities relevant to the enforcement process, including which agencies, courts, and jurisdictions are involved; who will prosecute and adjudicate cases; and other aspects of the enforcement of the program requirements, the resources to be allocated to this function, and the source of those funds. In states without immediate suspension authority, the SIP shall demonstrate that sufficient resources, personnel, and systems are in place to meet the three day case management requirement for violations that directly affect emission reductions.

§ 51.365 Data collection.

Accurate data collection is essential to the management, evaluation, and enforcement of an I/M program. The program shall gather test data on individual vehicles, as well as quality control data on test equipment.

(a) *Test data.* The goal of gathering test data is to unambiguously link specific test results to a specific vehicle, I/M program registrant, test site, and inspector, and to determine whether or not the correct testing parameters were observed for the specific vehicle in question. In turn, these data can be used to distinguish complying and non-complying vehicles as a result of analyzing the data collected and comparing it to the registration database, to screen inspection stations and inspectors for investigation as to possible irregularities, and to help establish the overall effectiveness of the program. At a minimum, the program shall col-

lect the following with respect to each test conducted:

- (1) Test record number;
 - (2) Inspection station and inspector numbers;
 - (3) Test system number;
 - (4) Date of the test;
 - (5) Emission test start time and the time final emission scores are determined;
 - (6) Vehicle Identification Number;
 - (7) License plate number;
 - (8) Test certificate number;
 - (9) Gross Vehicle Weight Rating (GVWR);
 - (10) Vehicle model year, make, and type;
 - (11) Number of cylinders or engine displacement;
 - (12) Transmission type;
 - (13) Odometer reading;
 - (14) Category of test performed (i.e., initial test, first retest, or subsequent retest);
 - (15) Fuel type of the vehicle (i.e., gas, diesel, or other fuel);
 - (16) Type of vehicle preconditioning performed (if any);
 - (17) Emission test sequence(s) used;
 - (18) Hydrocarbon emission scores and standards for each applicable test mode;
 - (19) Carbon monoxide emission scores and standards for each applicable test mode;
 - (20) Carbon dioxide emission scores (CO+CO₂) and standards for each applicable test mode;
 - (21) Nitrogen oxides emission scores and standards for each applicable test mode;
 - (22) Results (Pass/Fail/Not Applicable) of the applicable visual inspections for the catalytic converter, air system, gas cap, evaporative system, positive crankcase ventilation (PCV) valve, fuel inlet restrictor, and any other visual inspection for which emission reduction credit is claimed;
 - (23) Results of the evaporative system pressure test expressed as a pass or fail; and
 - (24) Results of the evaporative system purge test expressed as a pass or fail along with the total purge flow in liters achieved during the test.
- (b) *Quality control data.* At a minimum, the program shall gather and report the results of the quality control

checks required under § 51.359 of this subpart, identifying each check by station number, system number, date, and start time. The data report shall also contain the concentration values of the calibration gases used to perform the gas characterization portion of the quality control checks.

§ 51.366 Data analysis and reporting.

Data analysis and reporting are required to allow for monitoring and evaluation of the program by program management and EPA, and shall provide information regarding the types of program activities performed and their final outcomes, including summary statistics and effectiveness evaluations of the enforcement mechanism, the quality assurance system, the quality control program, and the testing element. Initial submission of the following annual reports shall commence within 18 months of initial implementation of the program as required by § 51.373 of this subpart. The biennial report shall commence within 30 months of initial implementation of the program as required by § 51.373 of this subpart.

(a) *Test data report.* The program shall submit to EPA by July of each year a report providing basic statistics on the testing program for January through December of the previous year, including:

- (1) The number of vehicles tested by model year and vehicle type;
- (2) By model year and vehicle type, the number and percentage of vehicles:
 - (i) Failing the emissions test initially;
 - (ii) Failing each emission control component check initially;
 - (iii) Failing the evaporative system functional and integrity checks initially;
 - (iv) Failing the first retest for tailpipe emissions;
 - (v) Passing the first retest for tailpipe emissions;
 - (vi) Initially failed vehicles passing the second or subsequent retest for tailpipe emissions;
 - (vii) Initially failed vehicles passing each emission control component check on the first or subsequent retest by component;

(viii) Initially failed vehicles passing the evaporative system functional and integrity checks on the first or subsequent retest by component;

(ix) Initially failed vehicles receiving a waiver; and

(x) Vehicles with no known final outcome (regardless of reason);

(3) The initial test volume by model year and test station;

(4) The initial test failure rate by model year and test station; and

(5) The average increase or decrease in tailpipe emission levels for HC, CO, and NO_x (if applicable) after repairs by model year and vehicle type for vehicles receiving a mass emissions test.

(b) *Quality assurance report.* The program shall submit to EPA by July of each year a report providing basic statistics on the quality assurance program for January through December of the previous year, including:

(1) The number of inspection stations and lanes:

(i) Operating throughout the year; and

(ii) Operating for only part of the year;

(2) The number of inspection stations and lanes operating throughout the year:

(i) Receiving overt performance audits in the year;

(ii) Not receiving overt performance audits in the year;

(iii) Receiving covert performance audits in the year;

(iv) Not receiving covert performance audits in the year; and

(v) That have been shut down as a result of overt performance audits;

(3) The number of covert audits:

(i) Conducted with the vehicle set to fail the emission test;

(ii) Conducted with the vehicle set to fail the component check;

(iii) Conducted with the vehicle set to fail the evaporative system checks;

(iv) Conducted with the vehicle set to fail any combination of two or more of the above checks;

(v) Resulting in a false pass for emissions;

(vi) Resulting in a false pass for component checks;

(vii) Resulting in a false pass for the evaporative system check; and